



U.S. Department of Justice

*United States Attorney
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December 16, 2022

BY ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Center for Biological Diversity, et al. v. U.S. Fish and Wildlife Service, et al.*, 21 Civ. 5706 (LJL)

Dear Judge Liman:

This Office represents the defendants United States Fish and Wildlife Service (“FWS”), Martha Williams, in her official capacity as Director of FWS, and Debra Haaland, in her official capacity as Secretary of the Interior (collectively, the “Government”), in the above-referenced case brought by Plaintiffs Center for Biological Diversity, Waterkeeper Alliance, Inc., Waterkeepers Chesapeake, Inc., Lower Susquehanna Riverkeeper Association, and Middle Susquehanna Riverkeeper Association (collectively, “Plaintiffs”). We write respectfully pursuant to Part 1.D of the Court’s Individual Rules & Practices in Civil Cases to request a three-week extension of the briefing schedule for the parties’ cross-motions for summary judgment. This is the Government’s first request for an extension of the briefing schedule, and Plaintiffs consent to this request.

Pursuant to the briefing schedule entered by the Court on August 17, 2022, Dkt. No. 44, Plaintiffs’ filed their motion for summary judgment on October 28, 2022. The Government respectfully requests that the Court extending the remaining deadlines by three weeks, as follows:

- Government’s opposition and cross-motion for summary judgment due by January 27, 2023;
- Plaintiffs’ opposition and reply brief due by February 24, 2023; and
- Government’s reply brief due by March 24, 2023.

The Government makes this request to provide sufficient time for review of the Government’s forthcoming papers by the relevant stakeholders at FWS and the Department of the Interior, in light of certain scheduling difficulties. Accordingly, the Government respectfully requests that the Court extend the briefing schedule.

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We thank the Court for its consideration of this request.

Respectfully submitted,

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cc: All counsel of record (by ECF)